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EXAMINER

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 10/729,403
Filing Date: December 05, 2003
Appellant(s): LYLES ET AL.

Charles W. Griggers
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 8/25/2008 appealing from the Office action mailed 3/21/2008.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

No amendment after final has been filed.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

User Guide: BTAS User Documentation (Unpublished but used publicly as noted by Applicant in their January 28, 2005 Information Disclosure Statement)

2003/0126195 A1	REYNOLDS	7-2003
6,307,546 B1	WICKHAM	10-2001
6,970,851 B1	GOODWIN	11-2005
6,445,774 B1	KIDDER	9-2002
2003/0051226	ZIMMER	3-2003
5,590,360	EDWARDS	12-1996
2003/0224339 A1	JAIN	12-2003
6,742,018 B1	SONG	5-2005

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 – 3, 5 – 7, 9, 11, 13 – 15, 17, 19, 21 – 23 rejected under 35 U.S.C. 103(a) as being unpatentable over the BTAS User Documentation, further in view of Reynolds et al. (US 2003/0126195 A1), hereafter Reynolds.

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3. Regarding claim 1, BTAS discloses a telemetry telecommunications assignment system, comprising assignment logic operable to assign a plurality of telecommunications telemetry equipment and ports to a plurality of network elements, wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (pg. 1, paragraph 1, and pgs. 6, 16, 27 and 30) collection logic operable to receive a plurality of assignments from the assignment logic and store the assignments in a database, and a graphical user interface operable to receive assignments from said database, and to display the assignments to a user in a graphical format which includes displaying the telecommunications telemetry equipment in a graphical format substantially similar to a physical construction of the telecommunications telemetry equipment (pg. 1 - 5).

BTAS does not disclose where the graphical format is displayed using a web interface.

Reynolds discloses graphical formats displayed using a web interfaces (Abstract, [0002]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of BTAS with that of Reynolds in order to combine prior art elements (the BTAS system and web interfaces) according to known methods in order to yield predictable results (in this case, a system accessible via the internet).

4. Regarding claims 2 and 3, BTAS in view of Reynolds further disclose where the graphical user interface logic can display the plurality of network elements in a graphical format substantially similar to a physical construction of the network element as well as providing a graphical format to a remote client on a desktop computer associated with the user over a network (BTAS, pg. 1 and pg. 7 – 9).

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5. Regarding claim 5, BTAS in view of Reynolds further disclose the system of claim 3 wherein the remote client is a telecommunications telemetry assignment system (pg. 1 and pg. 7 – 9).

6. Regarding claim 6, BTAS further discloses the system of claim 1, wherein the assignment logic is operable to remove assignments, add assignments, remove cards, and add cards on the telecommunications telemetry equipment (BTAS, pg. 1, pg. 7 – 9, pg. 13 – 15, pg. 20 – 23 and pg. 33).

7. Regarding claim 7, BTAS in view of Reynolds further disclose the system of claim 6, wherein the assignment logic is operable to track cards installed in telecommunications telemetry equipment (BTAS, pg. 13 – 16).

8. Regarding claim 9, BTAS in view of Reynolds further disclose a method of assigning telecommunications telemetry equipment, comprising providing a graphical user interface to a user which comprises a plurality of telecommunications telemetry equipment and network elements which are displayed to the user in a format substantially similar to the physical construction of the telecommunications telemetry equipment, the graphical user interface being further operable to allow the user to make telecommunications telemetry equipment assignments using web communications (Reynolds, Abstract and [0002]); wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (BTAS, pg.1 paragraph 1, and pgs. 6, 16, 27 and 30) receiving telecommunications telemetry equipment assignments from the user via the graphical user interface, and storing the telecommunications telemetry equipment assignments received from the user in a database for later retrieval (BTAS, pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

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9. Regarding claim 11, BTAS in view of Reynolds further disclose the method of claim 9, further comprising providing the graphical user interface to a user over a network to a remote client associated with the user (BTAS, pg. 1 - 5).

10. Regarding claim 13, BTAS in view of Reynolds further disclose the method of claim 11, further comprising using a telecommunications assignment application as the remote client (pg. 1 – 5, pg. 20 – 23).

11. Regarding claim 14, BTAS further discloses the method of claim 9 where the graphical user interface is operable to allow the user to remove cards, add cards, remove assignments, and add assignments to the telecommunications telemetry equipment (pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

12. Regarding claim 15, BTAS in view of Reynolds further disclose that said graphical user interface is operable to allow the user to change plug-in cards installed on the telecommunications telemetry equipment (BTAS pg. 13 – 15).

13. Regarding claim 17, BTAS in view of Reynolds further disclose a computer readable medium having a program for assigning telecommunications telemetry equipment, the program operable to provide a graphical user interface to a user, comprising a plurality of telecommunications telemetry equipment and network elements which are displayed to the user in a format specifically similar to the physical construction of the telecommunications telemetry equipment, the graphical user interface being operable to allow the user to make telecommunications assignments using web communications (Reynolds, Abstract and [0002]); wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (BTAS, pg. 1 paragraph 1, and pgs. 6, 16, 27 and 30)

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receiving telecommunications telemetry equipment assignments from the user via the graphical user interface and storing the telecommunications telemetry equipment assignments received from the user in a database for later retrieval (BTAS, pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23, pg. 30 – 33).

14. Regarding claim 19, BTAS in view of Reynolds further disclose providing the graphical user interface to the user over a network to a remote client associated with the user (BTAS pg. 1 – 5).

15. Regarding claim 21, BTAS in view of Reynolds further disclose using a telecommunications assignment application as the remote client (BTAS pg. 1 - 5).

16. Regarding claim 22, BTAS in view of Reynolds further disclose the graphical user interface being operable to allow the user to remove ports, remove assignments, and create alarms on the telecommunications telemetry equipment (BTAS pg. 25).

17. Regarding claim 23, BTAS in view of Reynolds further disclose the graphical user interface being operable to allow the user to change plug-in cards installed into the telecommunications telemetry equipment (BTAS pg. 1, pg. 7 – 9, pg. 13, pg. 25).

18. Claims 1 – 3, 6, 7, 9, 11, 13 - 15, 17, 19 and 21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham et al. (US 6,307,546 B1), hereafter Wickham, further in view of Reynolds.

19. Regarding claim 1, Wickham discloses a telecommunications telemetry assignment system, comprising assignment logic operable to assign a plurality of telecommunications telemetry equipment and ports to a plurality of network elements, wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the

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network element (Wickham, col. 1 lines 35 -64, col. 2 lines 44 – 67, col. 6 lines 35 – 52); collection logic operable to receive a plurality of assignments from the assignment logic and store the assignments in a database, and a graphical user interface operable to receive assignments from said database, and to display the assignments to a user in a graphical format which includes displaying the telecommunications telemetry equipment in a graphical format substantially similar to a physical construction of the telecommunications telemetry equipment (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham does not disclose where the graphical format is displayed using a web interface.

Reynolds discloses graphical formats displayed using a web interfaces (Abstract, [0002]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Wickham with that of Reynolds in order to combine prior art elements (Wickham's system and web interfaces) according to known methods in order to yield predictable results (in this case, a system accessible via the internet).

20. Regarding claims 2 and 3, Wickham in view of Reynolds further disclose where the graphical user interface logic can display the plurality of network elements in a graphical format substantially similar to a physical construction of the network element as well as providing a graphical format to a remote client on a desktop computer associated with the user over a network (Wickham col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8). Wickham in view of Reynolds further disclose where the remote client is a telecommunications assignment system application (Wickham col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

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21. Regarding claim 6, Wickham in view of Reynolds further disclose where the assignment logic is operable to remove assignments, add assignments, remove cards and add cards on the telecommunications telemetry equipment (Wickham col. 11 lines 9 - 60).

22. Regarding claim 7, Wickham in view of Reynolds further disclose tracking cards installed in telecommunications telemetry equipment (Wickham col. 11 lines 9 – 60).

23. Regarding claim 9, Wickham in view of Reynolds further disclose a method of assigning telecommunications telemetry equipment, comprising providing a graphical user interface to a user, the interface comprising a plurality of telecommunications telemetry equipment and network elements which are displayed to the user in a format substantially similar to the physical construction of the telemetry equipment, the interface further operable to allow the user to make telecommunications telemetry equipment assignments using web communications (Reynolds, Abstract and [0002]), wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (Wickham, col. 1 lines 35 -64, col. 2 lines 44 – 67, col. 6 lines 35 – 52); receiving telecommunications telemetry equipment assignments from the user via the graphical user interface and storing the telecommunications telemetry equipment assignments receiving from the user in a database for later retrieval (Wickham, col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

24. Regarding claim 11, Wickham in view of Reynolds further disclose providing the graphical user interface to the user over a network to a remote client associated with the user (Wickham Fig. 6, Fig. 7, Fig. 8, Fig. 9).

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25. Regarding claim 13, Wickham in view of Reynolds further disclose using a telecommunications assignment application as the remote client (Wickham col. 2 lines 25 – 60, col. 11 lines 9 - 60).

26. Regarding claim 14, Wickham et al. further discloses where the graphical user interface is operable to allow the user to remove cards, add cards, remove assignments, and add assignments on the telecommunications telemetry equipment (Wickham Fig. 6, Fig. 8, Fig. 9).

27. Regarding claim 15, Wickham in view of Reynolds further disclose where the graphical user interface is operable to allow the user to change the plug-in cards installed in the telecommunications telemetry equipment (Wickham Fig. 6, Fig. 8, Fig. 9).

28. Regarding claim 17, Wickham in view of Reynolds further disclose a computer readable medium having a program for assigning telecommunications telemetry equipment, the program operable to provide a graphical user interface to a user, comprising a plurality of telecommunications telemetry equipment and network elements which are displayed to the user in a format specifically similar to the physical construction of the telecommunications telemetry equipment, the graphical user interface being operable to allow the user to make telecommunications assignments using web communications (Reynolds, Abstract and [0002]); wherein telemetry of a network element is tracked by a telecommunications telemetry equipment that is assigned to the network element (Wickham, col. 1 lines 35 -64, col. 2 lines 44 – 67, col. 6 lines 35 – 52); receiving telecommunications telemetry equipment assignments from the user via the graphical user interface and storing the telecommunications telemetry equipment assignments received from the user in a database for later retrieval (Wickham, col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

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29. Regarding claim 19, Wickham in view of Reynolds further disclose providing a graphical user interface to the user over a network to a remote client associated with the user (Wickham col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

30. Regarding claim 21, Wickham in view of Reynolds further disclose the program of claim 19 further comprising using a telecommunications assignment application as the remote client (Wickham col. 11 lines 9 – 67 and col. 12 lines 1 – 30).

31. Claims 4, 12 and 20, are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Goodwin (6,970,851 B1).

Wickham in view of Reynolds disclose the system of claims 3, 11 and 19 (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham in view of Reynolds do not disclose where the remote client is a web browser operable to view any plurality of web formats.

Goodwin (6,970,851 B1) discloses a web-browser operable to view any of a plurality of web formats (col. 4 lines 4 – 23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the invention of Wickham in view of Reynolds with that of Goodwin in order to access the telecommunications assignment system of claim 3 with a web browser in order allow users to access it from more locations more easily, as specialized software does not need to be installed in order to use applications via a web browser.

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32. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Zimmer et al. (US 2003/0051226 A1).

Wickham in view of Reynolds disclose including the format for the telecommunications telemetry equipment and the network elements display in a database (col. 2 lines 25 – 60, col. 11 lines 9 – 50, col. 13 lines 1 – 34, Fig. 7 and Fig. 8).

Wickham in view of Reynolds do not disclose where the format for the telecommunications telemetry equipment and the network elements display are stored in the same database with as the telecommunications telemetry equipment assignments.

Zimmer et al. discloses where a database can be used to store a variety of types of information ([0051]).

It would be obvious to one of ordinary skill in the art at the time of the invention to modify the disclosure of Wickham in view of Reynolds with that of Zimmer et al. in order store a variety of types of information together, including the assignment information in the same database as the information relating to the telecommunications graphics, in order to provide for the simplest possible database arrangement. This provides for a database that would take less time to create and maintain when compared with other options, such as storing different pieces of data in separate databases.

33. Claim 8,16 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Edwards (5,590,360).

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34. Regarding claim 8, Wickham in view of Reynolds disclose storing telecommunications data and telecommunications graphic format configurations (Wickham col. 11 lines 1 – 60, Fig. 6, Fig. 7, Fig. 8, Fig. 9). Furthermore, any database is inherently operable to store any type of information capable of being processed by a computer, which includes said telecommunications data and telecommunications graphic format configuration.

Wickham in view of Reynolds do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham in view of Reynolds's storage of telecommunications data and graphics format configurations with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

35. Regarding claim 16, Wickham in view of Reynolds disclose providing assignment information and display information to the user (Wickham col. 11 lines 9 – 60 and Fig. 6, Fig. 7, Fig 8). Wickham in view of Reynolds also disclose storing such data, in addition to other data, in a database (Wickham col. 9 lines 5 – 33, col. 10 lines 35 – 63, Fig. 6). Furthermore, any database is inherently operable to store any type of information capable of being processed by a computer, which includes said assignment and display information.

Wickham in view of Reynolds do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham in view of Reynolds's method of providing assignment and display information with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

36. Regarding claim 24, Wickham in view of Reynolds disclose the program of claim 17, as well as storing said assignments and other data in a database (Wickham col. 11 lines 9 – 67 and col. 12 lines 1 – 30), Furthermore, any database is inherently operable to store any type of information capable of being processed by a computer, which includes said assignment and display information.

Wickham in view of Reynolds do not disclose a centralized database.

Edwards discloses a centralized database (Fig. 1).

It would be obvious to one of ordinary skill in the art at the time of the invention to combine Wickham in view of Reynolds's method of claim 17 with the centralized database shown by Edwards in order to provide for the simplest possible data storage arrangement. A centralized database can take less time to create and maintain, and additionally is inherently easier to backup and to restore in the event of a failure due to its centralized nature.

37. Claim 22 and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wickham in view of Reynolds as applied to claim 1 above, further in view of Kidder et al. (US 6,445,774 B1).

Regarding claim 22, Wickham in view of Reynolds disclose the program of claim 17, where the graphical user interface is operable to allow the user to remove ports and to remove assignments (Wickham Fig. 6, Fig. 7 and Fig. 8, col. 11 line 9 through col. 12 line 30),

Wickham in view of Reynolds do not disclose creating alarms on the telecommunications telemetry equipment.

Kidder et al. disclose creating alarms on telecommunications telemetry equipment (Fig. 3, Fig. 4, Fig. 5, and Fig. 8).

It would have been obvious to one of ordinary skill in the art at the time of the invention to modify the program disclosed by Wickham in view of Reynolds by adding the alarm creation means disclosed by Kidder et al. Wickham in view of Reynolds detail the management of alarms, including displaying alarms status (Wickham Fig. 6). Combining that with means to graphically allow users to create alarms extends the programs functionality in a way that would be expected by the user, as the said purpose of Wickham in view of Reynolds's tool is to aide in maintaining and provisions telecommunications services (col 1 lines 39 - 60). As Wickham et al.'s and Kidder et al.'s disclosures both show, alarms are an important part and thus a logical element in maintaining and provisioning telecommunications services.

36. Regarding claim 23, Wickham in view of Reynolds and Kidder et al. disclose the program of claim 22. Furthermore, Wickham et al. discloses a program with a graphical user interface operable to allow the user to change plug-in cards installed into telecommunications telemetry equipment (Wickham Fig. 8, col. 11 lines 9 - 60, col. 12 and col. 13).

37. Claims 4, 12 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over BTAS in view of Reynolds as applied to claim 1 above, and further in view of Jain et al. (US 2003/0224339 A1), hereafter Jain.

Regarding claims 4, 12, and 20, BTAS discloses the system of claim 3 (pg. 1, pg. 7 – 9) claim 11 and claim 19 (pg. 1 – 5).

BTAS does not disclose where the remote client is a web browser operable to view any of a plurality of web formats.

Jain discloses a remote client that is a web browser (Abstract, [0014]), operable to view any of a plurality of web formats (Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time of the invention to access the telecommunications assignment system of claim 3 with a web browser in order to provide a flexible viewing/interaction format that can be utilized by multiple types of devices.

38. Claims 10 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over BTAS in view of Reynolds as applied to claim 1 above, and further in view of Song et al. (US 6,742,018 B1), hereafter Song.

BTAS in view of Reynolds disclose the method of claims 9 and 17, including the format for the telecommunications telemetry equipment and the network elements display in a database (BTAS pg. 1, pg. 7 – 9, pg. 13 – 15 and pg. 20 – 23).

BTAS does not disclose where the format for the telecommunications telemetry equipment and the network elements display are stored in the same database with as the telecommunications telemetry equipment assignments.

Song discloses storing related items in the same database (col. 4 lines 52-68), thus showing where the format for the telecommunications telemetry equipment and the network elements display are stored in the same database with as the telecommunications telemetry equipment assignments.

It would be obvious to one of ordinary skill in the art at the time of the invention to store the assignment information in the same database as the information relating to the telecommunications graphics in order to provide for the simplest possible database arrangement.

(10) Response to Argument

39. Applicant begins by arguing the rejection made under 35 USC 103, BTAS in view of Reynolds. Applicant argues, regarding whether BTAS in view of Reynolds show a web interface in the manner claimed, that 'Reynolds further describes that a common command code maybe received by a network device application regardless of which command interface initiated the command', an excerpt from paragraph 5 of Reynolds. However, this excerpt was not cited by the Examiner and is unrelated to what Reynolds was cited to show, which is simply 'graphical formats displayed using web interfaces'. Applicant's argument thus is not persuasive.

40. Applicant continues by arguing that 'Reynolds does not disclose a web graphical interface that allows for assignments of telecommunications telemetry equipment and displaying of telecommunications telemetry equipment in a graphical format substantially similar to a physical construction of the telecommunications telemetry equipment.' However, Reynolds was not cited to teach all of this. As was mentioned above, Reynolds was merely cited to teach 'graphical formats displayed using web interfaces'. BTAS in view of Reynolds was cited to teach

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all of claim 1. As Applicant has failed to address the actual cited sections of Reynolds, and failed to address what Reynolds was actually cited to teach, Applicant's arguments are not persuasive.

41. Further, Applicant's arguments relate to rejections made under 35 USC 103, BTAS User Documentation in view of Reynolds. Applicant has failed to address the primary reference, BTAS User Documentation.

42. In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

43. Regarding Independent claims 9 and 17, Applicant repeats the arguments addressed above, which are similarly unpersuasive.

44. Regarding the dependent claims, Applicant argues that they should be allowable for the reasons given for the independent claims. Since arguments relating to the independent claims were not persuasive, this argument is similarly unpersuasive.

45. Applicant next addresses the rejections made under 35 USC 103, Wickham in view of Reynolds, specifically beginning with claim 1. Applicant argues the Wickham reference, but addresses a portion of Wickham that was not cited and fails to address any of the cited sections of Wickham. Applicant's arguments thus are not persuasive.

46. Applicant continues by arguing the Reynolds reference, stating that 'the Office Action states that Reynolds discloses graphical formats displayed using web interfaces', arguing that additional features were claimed. However, Wickham was cited to show all of the claim language except the concept of 'graphical formats displayed using web interfaces', which

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Reynolds was cited to remedy. Applicant's arguments thus relate to items Reynolds was not cited to teach and fail to address the cited sections of either Reynolds or Wickham. Applicant's arguments are thus not persuasive.

47. Applicant next addresses the rejection of claims 9 and 17, made under 35 USC 103, Wickham in view of Reynolds. Applicant repeats the arguments addressed above; said arguments remain unpersuasive.

48. Applicant concludes by arguing that claims 4, 12, 30, 10, 18, 8, 16, 24, 22 and 23 should be allowable based on the arguments given above. However, as said above arguments were not persuasive, this argument is similarly unpersuasive.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/J.M/

John MacIlwinen, 8/18/2008

Examiner, Art Unit 2442

/Andrew Caldwell/

Supervisory Patent Examiner, Art Unit 2442

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